

REMARKS

Claims 1-40 are pending in the application.

Claims 1-40 stand rejected.

Claims 1, 9, 20, 22, 24, 26, 29-31, 36, and 40 have been amended without addition of any new subject matter. Support for these amendments can be found, for example, at least in paragraphs [0022], [0027], [0035]-[0036], and [0050], and in Figs. 1 and 4 of the instant Specification. Claims 22, 24, 29, and 30 have been amended simply to provide proper antecedent support in view of amendments to the corresponding independent claims 20 and 26. Claim 40 has been amended to correct a typographical error. By these amendments, Applicants do not concede that the cited references are “prior art” to any invention now or previously claimed. Applicants further reserve the right to pursue the original version of the claims in the future, for example, in a continuing application.

Claims 2, 6, 10, 21, 27, 32, and 37 have been cancelled without prejudice to subject matter recited therein.

Claims 41-45 have been added to recite additional protectable subject matter. Applicants assert that no new matter is added thereby. Support for these claim additions can be found, for example, at least in paragraphs [0030] and [0065]-[0068] of the instant Specification.

After present claim amendments, deletions, and additions, claims 1, 3-5, 7-9, 11-20, 22-26, 28-31, 33-36, and 38-45 now remain pending in the application.

Rejection of Claims Under 35 U.S.C. § 101

Claims 20-30 were rejected in the final Office Action dated August 28, 2008 (referred to herein simply as “the Office Action”) under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The rejection of claims 21 and 27 is moot in view of the present cancellation thereof. Applicants traverse the rejection of remaining claims 20, 22-26, and 28-30 in view of the following remarks.

Applicants note that amended claims 20 and 26 now recite the term “computer readable storage medium” instead of the plural version “computer readable storage media” appearing previously in these claims. In any event, the distinction between the singular and plural versions of the term “computer readable storage medium” is ignored for the sake of discussion herein.

Applicants respectfully disagree with the reasons for rejecting these claims proffered by the Office Action. In rejecting these claims, Applicants observe that the claimed “computer readable storage medium” is mistaken for the term “machine readable medium” in the Office Action. Applicants respectfully submit that the latter term has never appeared in any of claims 20-30. (*See*, Office Action, discussion of item #6 on p. 3.) (Emphases added.) The term “machine readable medium” is discussed in paragraph [0024] in the instant Specification, whereas the term “computer readable storage medium” is discussed in paragraph [0022] in the Specification, for example. Because of the mistaken reliance on the term “machine readable medium” and its discussion in paragraph [0024], claims 20-30 were found to be directed to non-statutory subject matter.

Applicants respectfully request the rejection be reconsidered in view of the recitation of the term “computer readable storage medium” in independent claims 20 and 26 (and their corresponding dependent claims 22-25 and 28-30). Based on the discussion of the term “computer readable storage medium” in paragraph [0022] in the instant Specification, Applicants respectfully assert that the claims 20, 22-26, and 28-30 satisfy the statutory subject matter requirement under 35 U.S.C. §101. Therefore, withdrawal of claim rejection under 35 U.S.C. §101 and reconsideration and allowance of claims 20, 22-26, and 28-30 is respectfully requested.

Rejection of Claims Under 35 U.S.C. § 102

Claims 1-40 were rejected in the Office Action under 35 U.S.C. § 102(b) as being anticipated by Juan Sanchez Diaz et al., “From User Requirements to User Interfaces: A Methodological Approach,” 13th Int. Conf., CAiSE 2001, in 2068 Lecture Notes in Comp. Sci., pp. 60-75 (K.R. Dittrich, et al., eds., Springer-Verlag, June 4-8, 2001) (hereafter “Diaz”). The anticipation rejection of claims 2, 6, 10, 21, 27, 32, and 37 is moot in view of present cancellation thereof. Applicants traverse the §102(b) rejection of the remaining rejected claims, claims 1, 3-5, 7-9, 11-20, 22-26, 28-31, 33-36, and 38-40, in view of the present claim amendments and following remarks.

While not acceding to the reasoning of the instant rejection in the Office Action or conceding that the cited reference qualifies as prior art, but instead to expedite prosecution, Applicants have chosen to respectfully disagree and traverse the anticipation and obviousness rejections as follows, in light of the amendments made hereby. Applicants reserve the right, for example, in a continuing application, to establish that the

cited reference, or other references cited hereafter, do not qualify as prior art as to an invention embodiment previously, currently, or subsequently claimed. Applicants also reserve the right to traverse the reasons for the rejections presented in the Office Action or to provide additional arguments for patentability of pending claims, as necessary.

As will be appreciated, “[a]...claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegall Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987). Applicant respectfully submits that Diaz does not satisfy this burden, as explained in more detail below.

Diaz discusses an approach for generating user interfaces corresponding to the user requirements during a software production process. In Diaz, users validate their requirements through the validation of the user interfaces generated as a software representation of their requirements. (Diaz, Abstract on p. 60.) In Fig. 6, Diaz depicts a user interface containing a labeled Message Sequence Chart (MSC) corresponding to a use case “*search customer*.” (Diaz, Fig. 6 and its discussion on p. 68.) In Diaz, the labels placed by an analyst in the MSC will literally appear in the form associated with the corresponding use case. (Diaz, p. 68, first paragraph below Fig. 6.) Such a form for the use case “*search customer*” is shown in Fig. 7 of Diaz.

In contrast to the teachings of Diaz, amended independent claim 1 recites a method that comprises identifying a business process; identifying an application product, wherein the application product pertains to the business process; associating a business process model with a plurality of views, wherein each of the plurality of views comprises an image representing one of a plurality of user interfaces defined by the application

product, wherein the business process model pertains to the application product, the application product is configured to present the plurality of views, and the plurality of views illustrates the business process within the application product; and simultaneously displaying the business process model and the plurality of views to a user. (Emphases added.)

Applicants respectfully assert that Diaz fails to teach all the claim limitations recited in amended independent claim 1. For example, Applicants fail to find in Diaz any discussion of association of a business process model with a plurality of views wherein each view comprises an “image” representing a user interface defined by the application product. Furthermore, Diaz also fails to discuss the simultaneous display of any such models and views, as recited in the amended independent claims. Applicants note that cancelled claims 2 and 6 contained claim limitations substantially similar to those underlined above and discussed herein with respect to the amended independent claims.

In rejecting claim 2, it appears that the Office Action attempts to equate the user interface form in Fig. 7 of Diaz to an “image” representing a user interface defined by the application product. (See, Office Action, discussion of rejection of claim 2 on p. 4.) Similarly, in rejecting claim 6, the Office Action also relies on Fig. 7 of Diaz in asserting that “user interfaces are viewed by a user.” (See, Office Action, discussion of rejection of claim 6 on p. 4.) Even assuming, *arguendo*, that Diaz taught the claimed models and views, and also that Diaz taught that such could be “associated” (points Applicants do not concede), Applicants still fail to find any showing, teaching or suggestion in Diaz, in which any such items might be simultaneously displayed. Further, and more particularly,

no such simultaneous display, in the manner recited, is shown, taught or suggested by Diaz.

Hence, for at least the foregoing reasons, Applicants assert that Diaz fails to teach all claim limitations recited in amended independent claim 1. Applicants therefore assert that Diaz fails to anticipate amended independent claim 1, as well as claims 3-5 and 7-8, which depend thereon. Independent claims 9, 20, 26, 31, and 36 have been amended to contain limitations similar to those discussed above with reference to amended independent claim 1. Hence, for at least the foregoing reasons, amended independent claims 9, 20, 26, 31, and 36, and their respective dependent claims, are also not anticipated by Diaz. Reconsideration and allowance of claims 1, 3-5, 7-9, 11-20, 22-26, 28-31, 33-36, and 38-40 is therefore respectfully requested.

Rejection of Claims Under 35 U.S.C. § 103

Claims 12-14 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Diaz and further in view of the Official Notice taken in the Office Action. Applicants respectfully traverse the obviousness rejection of claims 12-14 and 17 in view of the present claim amendments and following discussion.

In order for a claim to be rendered unpatentable under 35 U.S.C. §103, the subject matter of the claim as a whole would have to be obvious to a person of ordinary skill in the art at the time the invention was made. *See* 35 U.S.C. §103(a). Thus, when making a determination of obviousness, the focus should be on what a person of ordinary skill in the pertinent art would have known at the time of the invention, and on what such a person would have reasonably expected to have been able to do in view of that

knowledge. This is so regardless of whether the source of that knowledge and ability was documentary prior art, general knowledge in the art, or common sense. MPEP § 2141.

Claims 12-14 and 17 depend from amended independent claim 9. Applicants herein incorporate Applicants' earlier discussion of non-anticipation of amended independent claim 9 by Diaz. Applicants assert that, in addition to failing to anticipate amended independent claim 9, Diaz also fails to teach or reasonably suggest all claim limitations recited in claim 9. For example, Applicants fail to find any recognition or suggestion in Diaz of the simultaneous display of a business process model and its associated views, wherein each view includes an "image" representing a user interface defined by the application product. All displays of use case models, state transition diagrams, message sequence charts, or user interface forms shown and discussed in Diaz are stand-alone or individual displays. (*See*, Diaz, Figs. 1-4 and 5-9.) Applicants fail to find any teaching, suggestion, or recommendation in Diaz that proposes or even remotely hints at the simultaneous display of anything even remotely comparable to a business process model along with its associated "images" of user interfaces, as recited more fully in amended independent claim 9.

Moreover, even if the Official Notice taken is proper (a point which Applicants do not concede), those limitations noticed are not recited in amended independent claim 9. Hence, even if proper, Applicants respectfully submit that the Official Notice taken also fails to remedy the deficiencies in the teachings in Diaz as applied to amended independent claim 9.

From the foregoing, Applicants assert that amended independent claim 9 is not rendered obvious under 35 U.S.C. §103(a) by the combination of the teachings in Diaz

and the Official Notice. Hence, dependent claims 12-14 and 17 are also patentable over Diaz in view of the Official Notice at least based on their dependence on allowable independent claim 9. Reconsideration and allowance of claims 9, 12-14 and 17 is therefore respectfully requested.

New Claims

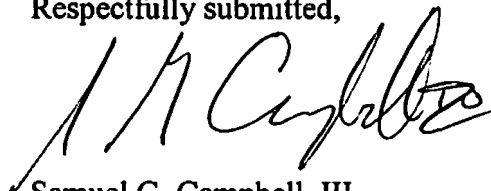
The present response adds new dependent claims 41-45 that depend, directly or indirectly, from amended independent claims 1, 9, 20, 26, and 31, which are allowable for at least the foregoing reasons. Applicants assert that claims 41-45 are also allowable over Diaz, for at least the reasons presented in connection with claims 1, 9, 20, 26, and 31. Therefore, favorable consideration and allowance of new claims 41-45 is also respectfully requested.

CONCLUSION

In view of the amendments and remarks set forth herein, the application and the claims therein are believed to be in condition for allowance without any further examination and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to Deposit Account 502306.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S. G. Campbell, III', written over a horizontal line.

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